IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

Bail Appl..No. 4337 of 2007()

CRIME NO.128 OF 2007 OF ADHOOR POLICE STATION, KASARGODE

: PETITIONER 1-5/ACCUSED A-1 TO A-5

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1. P.V.SURENDRAN, S/O. KUNIRAMAN MANIYANI, RESIDING AT ERIYAL, GATHI-KUNDU HOUSE, KARAKKODE, MADIKAI VILLAGE, KASARGODE DISTRICT.

2. CHOYICHI, AGED 70 YEARS, W/O. KUNHIRAMAN MANIYANI, RESIDING AT ERIYAL, GATHI-KUNDU HOUSE, KARAKKODE, MADIKAI VILLAGE, KASARGODE DISTRICT.

3. KRISHNAN, AGED 48 YEARS, S/O. KUNHIRAMAN, MANIYANI, RESIDING AT ERIYAL, GATHI-KUNDU HOUSE, KARAKKODE, MADIKAI VILLAGE, KASARGODE DISTRICT.

4. GEETHA, AGED 35 YEARS, W/O. KRISHNAN, RESIDING AT ERIYAL, GATHI-KUNDU HOUSE, KARAKKODE, MADIKAI VILLAGE, KASARGODE DISTRICT.

5. KUNHIRAMAN MANIYANI, AGED 75 YEARS, RESIDING AT ERIYAL, GATHI-KUNDU HOUSE, KARAKKODE, MADIKAI VILLAGE, KASARGODE DISTRICT.

BY ADV. SRI.JAWAHAR JOSE

RESPONDENTS: STATE AND COMPLAINANT

THE STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.4337 of 2007

Dated this the 18th day of July, 2007

ORDER

Application for anticipatory bail. Crime is registered under Section 498 A I.P.C. It was registered on the basis of a private complaint referred under Section 156(3) Cr.P.C. The learned counsel for the petitioners asserts and the learned Public Prosecutor does not contest the said assertion that the parties have harmoniously settled their disputes and anticipatory bail can be granted to the petitioners, who are the husband and relatives of the defacto complainant.

2. In the result, this Bail Application is, allowed. The following directions are issued under Section 438 Cr.P.C.

i) The petitioners shall appear before the learned Magistrate at 11 a.m on 25.07.2007. They shall be enlarged on regular bail on their executing a bond for Rs.25,000/- (Rupees Twenty Five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioners shall make themselves available for interrogation before the Investigating Officer between 10 a.m and 1 p.m on 26.07.2007 and thereafter as and when directed by the Investigating Officer in writing to do so;

iii) If the petitioners do not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioners and deal with them in accordance with law as if those directions were not issued at all;

iv) If the petitioners were arrested prior to their surrender on 25.07.07 as directed in clause (1) above, they shall be released from custody on their executing a bond for Rs.25,000/- (Rupees Twenty Five thousand only) without any sureties undertaking to appear before the learned Magistrate on 25.07.07.

(R.BASANT, JUDGE)

rtr/-